

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

SMARTMATIC USA CORP.,
SMARTMATIC INTERNATIONAL
HOLDING B.V., and SGO
CORPORATION LIMITED,

Plaintiffs,

v.

MICHAEL J. LINDELL and MY
PILLOW, INC.,

Defendants.

Case No. 22-cv-0098-WMW-JFD

PLAINTIFFS' UNOPPOSED PROPOSED INSPECTION PROTOCOL

Pursuant to this Court's April 15, 2024 Order (ECF No. 266), Plaintiffs Smartmatic USA Corporation, Smartmatic International Holding B.V. and SGO Corporation Limited ("Smartmatic" or "Plaintiffs") submit the following proposed protocol¹ for inspection of documents responsive to Defendant My Pillow, Inc.'s ("MyPillow" and, together with Lindell and Smartmatic, the "Parties") Request for Production No. 14 (the "Production").

PROTOCOL

This protocol includes responsibilities that fall to Plaintiffs, Defendants, or a combination of the Parties. All below mentions of "Defendants" and "Plaintiffs" naturally include their agents, representatives, counsel, and/or experts unless otherwise specified.

¹ Counsel for Smartmatic met and conferred with counsel for Defendants regarding the provisions of this Proposed Inspection Protocol. Smartmatic understands that Defendants do not oppose the substance of this Protocol.

The parties shall cooperate in good faith and take all reasonable and necessary actions to satisfy the protocol.

- A. This protocol is intended to facilitate the review of documents responsive to MyPillow's Request for Production ("RFP") No. 14 pursuant to this Court's April 15, 2024 Order (ECF No. 266).
- B. The operative Protective Order Governing the Production and Exchange of Confidential Information (ECF No. 70) ("Protective Order"), and all provisions thereof, is hereby incorporated by reference to this Protocol.
- C. For purposes of this Production only, Paragraph 8 of the Protective Order is amended as follows:
 1. Paragraph 8(b) shall be amended to read, "Counsel for Parties in the Litigation, and the partners, associates, paralegals, secretaries, clerical, regular and temporary employees, and service vendors of such counsel (including outside copying and litigation support services) who are assisting with the Litigation[.]" For the avoidance of doubt, in-house counsel for Defendants are not permitted to review documents in this Production designated as "Attorney's Eyes Only."
 2. Paragraph 8(c) shall be amended to read, "Experts, consultants, or independent litigation support services assisting counsel for the Parties that have been approved by Plaintiffs, and partners, associates, paralegals, secretaries, clerical, regular and temporary employees, and service vendors of such experts or consultants (including outside copying services and

outside support services) who are assisting with the Litigation[.] To the extent the Parties cannot reach an agreement as to which Experts, consultants, or independent litigation support services shall be approved, Plaintiffs may seek relief from the Court.”

D. Documents in the Production designated Attorneys’ Eyes Only will be labeled “RFP 14 – Attorneys’ Eyes Only.”

Dated: April 26, 2024

Respectfully submitted,

/s/ Julie M. Loftus

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